

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHESTER MYERS,

Petitioner,

vs.

Case No. 05-CV-74703
HON. GEORGE CARAM STEEH

HAROLD WHITE,

Respondent.

_____ /

ORDER DENYING MOTION FOR RECONSIDERATION (#20)

Petitioner Chester Myers, appearing pro per, moves for reconsideration of this court's September 29, 2006 Order dismissing Meyer's habeas petition as time barred because the petition was not subject to equitable tolling. Meyers' arguments on reconsideration merely reiterate his claim that his ignorance of law warranted equitable tolling and his delay in filing objections to Magistrate Judge Komives' Report and Recommendation. The argument fails to demonstrate a palpable defect by which the court and the parties have been misled, or that correction of a palpable defect would result in a different disposition of the case. E.D. Mich. LR 7.1(g)(3). See Lattimore v. DuBois, 311 F.3d 46, 55 (1st Cir. 2002); Marsh v. Soares, 223 F.3d 1217, 1220 (10th Cir. 2000); Felder v. Johnson, 204 F.3d 168, 171 (5th Cir. 2000). Accordingly,

Meyers' motion for reconsideration is hereby DENIED.

SO ORDERED.

Dated: October 23, 2006

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
October 23, 2006, by electronic and/or ordinary mail.

s/Josephine Chaffee
Deputy Clerk